

AMENDED APPLICATION

No. 73167

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office AUG 19 2005

Returned to applicant for correction OCT 11 2005

Corrected application filed DEC 08 2005

Map filed DEC 08 2005 under 73166

The applicant **Pale Horse, LLC** hereby makes application for permission to change the **point of diversion, place and manner of use of a portion** of water heretofore appropriated under **Permit No. 12811 (Cert. 4320)**

1. The source of water is **Las Vegas Artesian Ground Water Basin**
2. The amount of water to be changed **5.128 acre feet & a prorata share of the diversion rate**
3. The water to be used for **Commercial and Domestic Purposes**
4. The water heretofore permitted for **Irrigation & Domestic**
5. The water is to be diverted at the following point **SW ¼ NW ¼ of Section 9 T23S, R61E, MDM at a point from which the SW corner of said Section 9 bears S 08 degrees 27 minutes 47 seconds W, a distance of 3,615.67 feet**
6. The existing permitted point of diversion is located within **NW ¼ NW ¼ of Section 3 T21S, R62E, MDM at a point from which the NW corner of said Section 3 bears N 76 degrees 32 minutes W, a distance of 216 feet Refer to map filed under Permit No. 12811 for existing point of diversion**
7. Proposed place of use **within portions of the SW¼ NW¼ Section 9 T23S, R61E, MDM more specifically within APN 191-09-201-001, 002, 005 and 014-Clark County, Nevada**
8. Existing place of use **1.0257 acres (0.013 acres w/in NW¼NW¼ & 1.0127 acres w/in SW¼ NW¼) within W½ NW¼ Section 3 T21S, R62E, MDM totalling 5.128 acre feet (1.0257 acres times 5.00 acre feet per acre duty = 5.128 acre feet) Refer to Amendment of December 23, 1999 Findings of Fact, Conclusions of Law and Decree for Waters of Las Vegas Artesian Basin dated January 14, 2002. Refer to map filed under Permit No. 71753 for additional information.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Proposed well, pump, motor and totalizing meter with pipeline to place to use.**
12. Estimated cost of works **\$200,000**
13. Estimated time required to construct works **2 years**
14. Estimated time required to complete the application of water to beneficial use **5 years**

15. Remarks: Pale Horse, LLC and L.V. Wolf, LLC are both owned by Mr. Raymond J. Shapiro. Refer to Permit Nos. 66728, 68422 and 68423

By s/Michael D Buschelman
Michael D. Buschelman
Post Office Box 51371
Sparks, Nevada 89435

Compared sc/gkl lt/ gki

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, manner of use and place of use of a portion of the waters of an underground source as heretofore granted under Permit 12811, Certificate 4320, is issued subject to the terms and conditions imposed in said Permit 12811, Certificate 4320, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 73166 and 73167 shall not exceed 7.426 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued for water service on parcels identified as Clark County Assessor Parcel Numbers 191-09-201-001, 191-09-201-002, 191-09-201-005 and 191-09-201-014.

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The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0141 cubic feet per second, but not to exceed 5.128 acre-feet annually.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

January 29, 2008

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

January 29, 2010

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,
State Engineer of Nevada, have hereunto set
my hand and the seal of my office,
this 29th day of January, A.D. 2007

T. Taylor, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____